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August 6, 2004

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By:

Juliana Hermes
Juliana Hermes

Atty Docket No: 300-948600US
Client Ref:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**AKIRA KOMORIYA and BEVERLY S.
PACKARD**

Application No.: **09/747,287**

Filed: **12/22/2000**

For: **HOMO-DOUBLY LABELED
COMPOSITIONS FOR THE DETECTION
OF ENZYME ACTIVITY IN BIOLOGICAL
SAMPLES**

Examiner: Chih-Min Kam

Art Unit: 1653

**DECLARATION UNDER 37 C.F.R.
§1.132**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We, Beverly Packard and Akira Komoriya, hereby declare:

We are coauthors, together with Dmitri Topygin and Ludwig Brand, of the article entitled, "Profluorescent Protease Substrates: Intramolecular Dimmers Described By The Exciton Model" published in the Proceedings of the National Academy of Science, U.S.A., Vol. 93 at pages 11640-11645, which we understand was cited as a 35 U.S.C. §_102(a) reference in above-identified patent application.

Beverly Packard and Akira Komoriya are the sole inventors of the subject matter which is disclosed in the above-identified article and which is disclosed and claimed in the above-referenced patent application.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

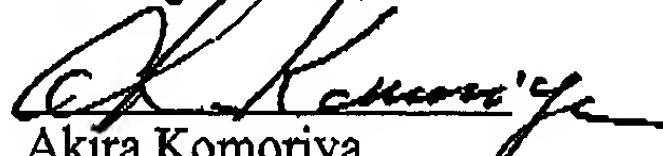
App. No: 09/747,287
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punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 08/05/04


Beverly Packard

Dated: 08/05/04


Akira Komoriya



Attorney Docket No.: 300-948600US

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **HOMO-DOUBLY LABELED COMPOSITIONS FOR THE DETECTION OF ENZYME ACTIVITY IN BIOLOGICAL SAMPLES** the specification of which is attached hereto or x was filed on December 22, 2000 as Application No. 09/747,287, and was amended on (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

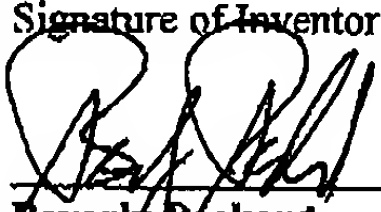
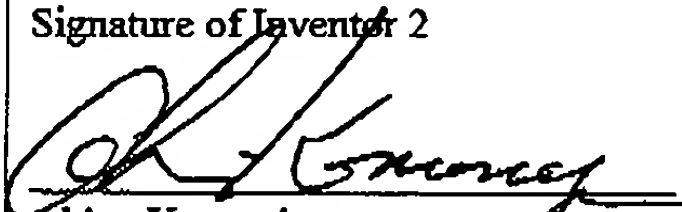
I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
08/802,981	2/20/1997	Granted
09/394,019	9/10/1999	Pending
PCT/US00/24882	9/11/2000	Expired

Attorney Docket No.: 300-948600US

Full Name of Inventor 1:	Full Name: Beverly Packard		
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Full Name of Inventor 2:	Full Name: Akira Komoriya		
Residence & Citizenship:	City: Potomac	State/Foreign Country: Maryland	Country of Citizenship: US
Post Office Address:	Post Office Address: 12950 Dalyn Drive Potomac, Maryland 20854		

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Beverly Packard	Signature of Inventor 2  Akira Komoriya
Date <u>08/05/04</u>	Date <u>Aug 5, 2004</u>

declaration